



**FAIR POLITICAL PRACTICES COMMISSION**

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

December 10, 2009

James Diani

✓ o/b/o Citizens for County Organization, Inc.

REDACTED

**RE: Advisory Letter**

**FPPC No. 06/129; Citizens for County Organization, Inc.**

Dear Mr. Diani:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act")<sup>1</sup> found in Government Code Section 81000, and following. This letter is being sent to you in your capacity as chairman of Citizens for County Organization, Inc. As you may be aware, the Commission received a complaint against Citizens for County Organization, Inc. alleging the organization is in violation of the Act's campaign reporting requirements. Specifically, the complaint alleges Citizens for County Organization, Inc. formed as a non-profit organization, but was politically active receiving and making contributions to support the passage of Measure H. Further, the complaint alleges that Citizens for County Organization, Inc. failed to file campaign statements in connection with Measure H, which was voted on in the June 6, 2006 election. The Commission has decided to close this case with this advisory letter.

You should be aware that Section 82013, subdivision (a), defines a "committee" to include any person who directly or indirectly receives contributions totaling one thousand dollars (\$1,000) or more in a calendar year. This type of committee is commonly referred to as a "recipient committee." Regulation 18215 states that a contribution is any payment made for political purposes for which full and adequate consideration is not made to the donor. A payment is made for political purposes if it is, in relevant part: (1) for the purpose of influencing or attempting to influence the action of voters for or against the qualification or passage of any measure.

---

<sup>1</sup>The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to title 2, division 6 of the California Code of Regulations, unless otherwise indicated.

Under Section 84101, subdivision (a), a person who qualifies as a recipient committee must file a statement of organization (Form 410) with the Secretary of State within 10 days of qualifying. Additionally, a recipient committee has the obligation to file periodic campaign statements disclosing contributions received and expenditures made by the committee during the reporting period covered by the campaign statement.

Based on our investigation of this matter, there is insufficient evidence to establish that Citizens for County Organization, Inc. qualified as a "committee" under the Act. Therefore, we have decided to close this case with this advisory letter.

The Commission publishes forms and manuals to facilitate compliance with the provisions of the Act and provides guidance regarding your obligations over the telephone and through written advice. If you need assistance, please call the Commission's Technical Assistance Division at 1-866-275-3772 or visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

Sincerely,

REDACTED

Bridgette Castillo  
Commission Counsel  
Enforcement Division